THE LATTER-DAY SAINTS

MILLENNIAL STAR.

"*Holiness unto the Lord.*"

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THE CONSTITUTIONAL CONVENTION.

[CONTINUED FROM PAGE 223.]

Ex-Governor Fuller followed Mr. Pitch in a brief speech against the motion to adjourn *sine die*, and giving some reasons for a State government for Utah. In reference to one of the reasons given for adjournment, that the people of this Territory had not taken the usual American means of manifesting their wishes for a State government, namely, public meetings, resolutions, petitions, &c., he thought one word would answer that objection, for the people of Utah had taken the course usually pursued where no enabling act existed—they had been called upon to express their opinions, and had responded by voting for delegates to this convention, and if a constitution should be framed by this convention, it would be submitted to the people for their approval or disapproval. The reason assigned that the population of Utah is insufficient is of no force, for that reason is based on the New Apportionment Bill, which does not go into force until 1873. The fourth reason assigned by the gentleman who moved for the *sine die* adjournment, was that the convention was called without any authority of law, and that its action had no other merit than that which pertains to any meeting of citizens called to discuss public measures. In reply, he, the speaker, said he knew of no higher merit the convention could possess than that of being a meeting of citizens called to discuss subjects of general importance, and if his memory served him the first convention that met for a similar purpose in Nevada had no higher color of law than that; while in the State of California the first convention, having the same object in view, was called merely on the recommendation of the commander of the United States forces in that State, and he could think of no law more attenuated than that, and in such matters no legal enactments can be binding; even the enabling acts which have been passed by Congress for the admission of the various States have not made it binding on the people of the Territory to meet in convention to adopt a constitution under such enabling acts, but have merely been recommendatory and advisory, and have granted permission to do so. The act for the calling of this convention passed by the late Legislature and vetoed by the Governor, as well as the joint resolution of the Legislature, could in no sense be considered as binding

therefore could not understand what his colleague meant when he said this convention met without color of law.

The speaker then reviewed the third reason assigned by the gentleman, that the sad experience of other States created without sufficient population, has taught us that it is wiser to remain a carefully cared for ward of the General Government, than to impose upon ourselves an onerous burden of taxation, crippling the energies and retarding the development of the resources of the country. He, the speaker, felt it unnecessary to discuss that question. No imposition every practised by a monarch upon his subjects was greater than the wardship or guardianship exercised by the government of the United States in its Territories. It is a relic of the colonial system of Great Britain, and in all its essential particulars is the same as that which exists to-day between the government of Great Britain and its dependencies. The history of one of the Territories of the United States is the history of all, and it is a history of injustice, wrong, oppression, official corruption on the one hand and on the other, of suffering, and appeals for aid, granted spasmodically by the government in the removal of bad men and the appointment of worse ones. He believed that this system of tutelage, pupilage and vassalage which now exists in the Territories must soon cease to exist, and he ventured to predict that in five years the only Territorial appendage of the United States would be ice-bound Alaska. He said this not because he believed Congress would be any more willing to admit new States in the future than in the past, but because it would be impossible for a system so utterly vile to longer exist under our republican form of government. He had thought upon this subject long, and he was convinced that if there was a pernicious, vile, objectionable system known among the governments of the world, it was the Territorial system of the United States.

The honorable gentleman then briefly reviewed the early history of Nevada, and showed that the experience there in official corruption was very similar to that of Utah, and that one of the earliest efforts of the people to obtain deliverance of Territorial vassalage was owing to their hatred of the judiciary system as forced upon them; and though in Utah there had been more accusations and hard words passing from one side to the other, yet her history had been substantially the history of all other Territories, and for this reason he was in favor of a State government and opposed to the motion to adjourn *sine die*.

Mr. Jennings followed in opposition to the motion, and in a short speech adverted to the past history of the people of Utah. He referred to the fact that in the early days of California, Nevada, and other portions of the West, their supplies of the necessaries of life had been the result of the labors of the people of Utah, and that without the latter the settlement of Territories of the Rocky Mountain region would have remained unaccomplished and their resources undeveloped for an indefinite period. He referred to the dreary march of the people of Utah from the Missouri to these valleys, their arrival here in poverty, their heroic struggles to live, their ultimate prosperity, their excellent system of government, attested by the fact that the Territory and every municipality it contained were perfectly free from debt, all demonstrating that the people of Utah were amply capable of self-government; and still, after giving such incontestible proof of the fact, one man delegated by the General Government against the wishes of the people had absolute power to veto any and every law passed by the representatives of the people of the Territory. These and many other abuses to which they were compelled to submit, proved the necessity of a change from a Territorial to a State government, hence his opposition to the motion under discussion.

Honorable Z. Snow addressed the convention briefly in opposition to the motion. He was in favor of the people of Utah respectfully demanding and not slavishly begging their rights of the parent government. As an American citizen he had inalienable rights; he had enjoyed those rights at some portion of his life while residing under a State government, and it was a flagrant wrong to be deprived thereof

simply because he had passed the boundary lines of a State into a Territory. He recognized the United States government as the supreme power in, and the United States Constitution as the supreme law of, the land, but while doing so he knew that as a citizen of the republic he had rights and privileges of which no legitimate exercise of power could deprive him.

Mr. Miner referred to Michigan, which instituted its own State government and elected its own officers and was admitted. He read from and commented on the Federal Constitution, and contended that the people had the constitutional right to assemble and petition for what they desired, and claim a State government.

Mr. Rowberry was strongly in favor of a State government, because under it the grants of public land made by Congress in aid of educational and other purposes could then be made available. It would also confer upon the people the power to elect their own judges and other officers, which in the light of the past and present experience of the people would bring about a most desirable change in their condition.

Hon. Orson Pratt addressed the convention briefly in opposition to the motion. He considered that a Territorial form of government was unconstitutional, and that Congress had no right by virtue of the constitution to impose such a form of government upon any people within its jurisdiction. That form of government had been forced upon the people of Utah contrary to their desires, and he thought it was high time that the people demand—not ask as a matter of grace—the right which belonged to them as American citizens. Under the present system the people of the Territory were deprived of the privilege of enacting one single law for their benefit. The hundred thousand citizens might vote and send their representatives to the legislature, and the latter might toil and labor for the good of their constituents, and a single stroke of the pen of one man, not elected by the people, could annihilate all they could do. This was not republicanism, it was despotism, and therefore he was opposed to the motion and in favor of a change of government. He did not believe in the people crouching at the doors of Congress and begging for their rights, but in asking, demanding the rights guaranteed by the constitution to every American citizen. When the people came from the Missouri river and penetrated these arid wilds, they did not come for the purpose of being disfranchised and to lose their American citizenship, or to receive a form of government that would deprive them of all the rights of American citizens. They had been compelled to submit to a form of government that had done so, but they desired to have this yoke of bondage broken, and they had met as the representatives and delegates of a free people to claim those inalienable rights guaranteed by the instrument framed by their honorable ancestors.

Third day.

After the transaction of some preliminary business, Judge Haydon, the mover of the resolution to adjourn *sine die* took the floor and spoke:

He said the reason why he made the motion to adjourn *sine die* was to define his position on the State government for Utah. He had no thought the discussion would take so wide a range, nor that so much bitterness of expression would have been indulged in; neither did he think that the gentlemen would have taken occasion to speak in such harsh terms of the government and its officers. This he thought of itself would militate against the admission of Utah, for the government would say that those who abuse the government and its officers are not fit to join the sisterhood of loyal States. He had noticed that great wisdom usually marked the course of the gentlemen present in worldly matters, but in this instance he thought it was truant.

He had come to Utah to practise his profession quietly, and to keep aloof as far as possible from conflicting parties. And he desired to act justly towards all. He was a Gentile, and by his actions in that convention represented in part the Gentile sentiment of Salt Lake County; and if his Mormon friends who elected him

thought he could be used to give a Gentile color to the convention, they had mistaken their man. He ventured the opinion that outside the Gentiles on the floor of the convention there were not fifty in Salt Lake County, nor a hundred in the Territory, in favor of a State government. He again raised the point of increased taxation, against State sovereignty, urging that it would keep foreign capital away and retard the development of the resources of the State.

He had attempted to analyze the arguments presented in the speeches delivered, and arrived at the conclusion that the speakers desired a State government because McKean differed from them on questions of law; because the supreme court of the Territory did not decide in accordance with their idea of law, and because, as they say, the general government is a "despotism," and "oppressive;" in short, it was a "State government *versus* McKean." Who was this man McKean who had been abused and vilified? He had no desire to imitate McKean's traducers; and he thanked God if he had not the power to lift men up, he gloried in the thought that he was too feeble to pull angels down. He then entered into a brief sketch of judge McKean's career, who had been first a superintendent of public schools in Saratoga County, New York; then a county judge of the same county, the first Republican elected to the office in that county; and during his term many decisions were published in Howard's Practice Reports. He was next elected to congress; served a term and was re-elected; then he raised a regiment and did good service during the war as its colonel. Having contracted a malarial fever of which his life was despared, he resigned in July of 1863, and it was six years before he was able to resume the practice of his profession. McKean, the speaker said, numbered among his friends many of the wisest of the nation, among them President Grant, who had complimented in his last annual message to congress his administration of affairs in Utah. The speaker had known him but a short time, and though differing with him on some questions of law relating to this Territory, he believed him to be a gentleman of honor and integrity.

Referring to polygamy, he did not believe that the Mormons present would be willing to trade off what they believed a divine ordinance for the bauble of State sovereignty. If they were once to lose the respect of the world for their honesty in their faith they would go down like Lucifer, never to rise. What would history write—what would the world say, if a convention composed mainly of Latter-day Saints, among whom were six apostles and twenty bishops, should be found ready and willing to sacrifice one of their divine ordinances for a State government?

As a Gentile who was no enemy but who had many reasons to be their friend, he in conclusion said: "Stay where you are and bide your time."

Mr. Fitch replied to Judge Haydon as follows—

I do not intend to say anything to disturb the harmony and good feeling of this convention. But my colleague seems to have misapprehended the spirit if not the letter of my remarks. In the address which he has just read to the convention, he has spoken more than once of gentlemen on the other side maligning the government of the United States. The remarks which I had the honor to submit to the convention yesterday were, as stated by my colleague, carefully prepared. It is a practice I seldom pursue, but I was so fearful that in the heat of debate I might in an unpremeditated utterance, say something that would be the subject of legitimate criticism, that I thought I would carefully prepare that speech, which has been printed from the manuscript without the alteration of a word, and I defy my colleague—I defy any gentleman on the floor of this convention or out of it to point to one paragraph, one sentence, one word of that speech in which I uttered anything that might be considered as tinctured with disrespect towards the government of the United States. I have never called this great government a despotism, I have never maligned this government, I have never uttered one word in the course of my brief public life that was tinctured with antagonism to the govern-

ment of the United Sates or that expressed other than loyalty to its principles, and devotion to the perpetuity and power of this great and glorious government. But Mr. President the government of the United States is one thing, and the men who are sometimes carelessly elected, not by the people, but by executive choice, to administer some offices of that government, is another. The mistake my colleague makes is in supposing Judge James B. McKean to be the government of the United States, or that his judical course represents it. While I disclaim abusing the government, I also disclaim abusing Judge McKean. Sir, that which I said concerning him is a compilation of the record facts. That I may have made some trifling observations on these facts as I went along is true, but the simple statement of the facts, compiled from the records of his own court, constitutes the bulk of that which my colleague calls "abuse." I am content that this record shall go to Judge McKean's superiors, that it shall go to the people of the United States, as it has gone before this convention, and to the people of this Territory. I am content that it shall go separated from any reflections of my own. My colleague has spoken of Judge McKean's record in New York as a record of integrity and of loyalty to the government. I have never assailed his record in New York. He was fortunately so situated that he was able to offer to the government of the United States, in a perilous hour, that which I as well as my colleague from Salt Lake, then living in Nevada, were so situated as to be unable to offer, namely, our arms and our swords. But because he was so situated, and because he fought for his country, that does not assail in any manner the accuracy of the statements made here yesterday by me with reapect to Judge McKean's course of conduct in this Territory. I am content to believe that he was a wise, a virtuous and a patriotic citizen there, but it is not what he did there that we are here to consider, it is his course of conduct here that I have reviewed, and so far from that review being outside of the proper limits of debate, its seems to me perfectly legitimate. The subject under consideration is the necessity of a State government, and here as in Nevada the necessity for that State government arises out of the condition of the courts, and the condition of the courts is therefore a legitimate subject of consideration on a resolution to adjourn without an attempt to form a State constitution. If my colleague is content with his position as an endorser of McKean on the strength of Judge McKean's biography, if without attempting to controvert one single fact, or explain one of those record circumstances laid before this convention my colleague is content, and Judge McKean is content with defence of previous good character, I have nothing more to say, and the record and the defence may go to the convention and to the country together. In reply further to my colleagues's powerful and eloquent plea to the members of this convention and to the Mormon people not to relinquish polygamy—in reply to his earnest advocacy of that institution, and his evident desire that they shall perpetuate it, I have only to say that if he represents the hostile Gentile element of Utah, as he claims to represent it here, and that element is content with his position in this respect, I am also content. The difference between my colleague and myself may be briefly stated thus—I wish the people of Utah to give up McKean and polygamy, he desires the people of Utah to stand by polygamy and McKean.

Colonel Akers said—

I do not propose making a set speech; but having opened this discussion, I feel that out of respect to my colleague I ought to reply to what I consider the chief argument embodied in his speech.

In connection with the resolution offered by my colleague, there were four reasons recited, upon which he based his opposition to the formation of a State government. To-day, three of these reasons disappear from his speech; and he now rests his opposition upon the sole ground that the formation of a State government would increase taxation. My only reply to that position is, that, carried out to its fullest extent, it would throw this

country back at least half a century. If it has any force, as applied to Utah, it has the same force when applied to every State that has been added to the "old thirteen."

But this, as my colleague knows, and as every gentleman present knows, is not the reason why the formation of a State government for Utah is opposed at this time. I confess to you, Mr. President and gentlemen of the convention, if I should undertake at all to give the reasons why a State government should not be formed, I would go home at once to the central reason, the one that lies at the foundation of every man's opposition. That reason, as we all known, is the existence of polygamy, and I may add a vague sort of notion, which is entertained, that the State so formed would be a Theocracy. Is not *that*, honestly, the real ground of opposition to the formation of a State government?

There runs through my colleague's resolutions a spirit very nearly akin to the one which he disclaims. He tells us if he has no power to lift men up, he certainly has no desire to "drag angels down." And yet he discloses in his resolutions a fixed and settled purpose to obstruct the progress and elevation of the people, which would arise out of the formation of a State government. And I must submit, that it is much easier to *pull down*, than it is to *build up*. It requires a much lower order of talent to *destroy* than to *create*. You all know how slowly and reluctantly human nature rises up from sloth and ignorance and animalism, and what constant efforts are required to raise and hold up the sluggish mass of society. But a single hand may cut the cord and let it thunder back to destruction. To raise a garden to its highest state of cultivation, industry and taste and constant pruning and much culture are required; but a herd of swine can root up and destroy the beauty of that garden in an hour. I want to see a State government, Mr. President, because I desire that the whole system of administration in this Territory shall be changed; and I believe I utter a sentiment which every man if he confesses the truth to himself will acknowledge is true, when I say that the whole history of the people comprising the majority of the population of this Territory has been a history of oppression. I do not now refer to the past—to the policy which drove them from State to State, and finally hunted them a thousand miles beyond the border of civilization, into this great valley, inhabited then only by wild beasts and still wilder men. All that I leave out of view, and I appeal to every honest man to state if it is not true in point of fact that the government here is administered now upon principles of harshness rather than upon principles of kindness? I want a State government, because I want to get the machinery of our political system out of these narrow grooves and upon a broader and nobler guage. For one, I believe in the policy of kindness and conciliation, rather than in the policy of harshness and of force. Force was the policy of a past age, when governments, by an iron hand, bound their subjects into salutary submission. But I think that in this country, and in this age, we ought to inaugurate a new system of policy, a policy of kindness, of conciliation, a policy born of Christianity. I desire to see the laws administered upon that line of policy, and to see what it will do to elevate and improve the condition of the people of this Territory. It is more potential as a means of controling men than the policy of force. Conciliation always melts the obduracy of man and moulds him to what it will. The worst of criminals, hardened by mere force, is at once subdued by conciliation. The raving maniac, chained to his pillar, rending his garments, and eating his own flesh, is gradually subdued, healed, and harmonized by gentleness and conciliation. The dumb brute, maddened and made stubborn by the goad, becomes tractable under kind and gentle treatment. The wild beasts of prey are subject to its authority. With a face of kindness a man can go into the presence of these monsters, can sport with the catamount and the tiger, frolic with the treacherous leopard, thrust his head into the mouths of lions, wind the most venomous serpents around his body, and make his pillow on a coil of dragons. And the reason of this lies in the profoundest philosophy of human nature.

Force addresses itself to the lowest and meanest instincts of our nature—addresses itself to fear. Conciliation appeals to the highest and noblest attribute of our being—appeals to hope. Coercion commands, conciliation entreats; coercion compells, conciliation persuades; coercion concentrates itself in wrath, conciliation diffuses itself in mercy. Coercion is like the lightning, which strikes the gnarled oak, rending its solid trunk asunder and scattering it in splinters to the ground; conciliation is like the cloud, which baptizes the world with its tears, and bends the bright rainbow of peace over mountains all rustling with thanksgivings, and valleys of silent beauty all sparkling with praise.

I want to see a State government, because I desire to see the machinery of our system put upon this elevated plane of conciliation. I want to see men governed through their reason, and not by arbitrary and harsh measures.

Mr. President, and gentlemen of the convention, I sincerely believe, if we were made a State, that within six months all the wranglings and disquietude and dissatisfaction which have been witnessed in this country during the past year would cease, and Utah would enter upon a career of unrivalled greatness. For these reasons I shall vote against the resolution of my colleague.

Mr. Johnson endorsed the views of the speakers against the resolution.

Gen. Barnum requested Mr. Fuller to occupy the chair during the remainder of the sitting.

Col. Buel referred to the avowal of Mr. Haydon that he was a Gentile, and said he, the speaker, was not a Mormon, but he would leave it to others to define his position. There was quite a liberal sentiment among many Gentiles with regard to this matter of a State government. If Mormons were elected to office, he would sustain them in it. They had administered the government of the Territory in the past, so far as it was in their hands, with prudence and economy. He had to pay less taxes here than he had ever done before; and as they had done so well in the past in a Territory he was willing to trust them in the future in a State.

Gen. Barnum then took the floor, endorsed some portions of Mr. Fitch's speech, but dissented from the charges against the federal officials. While he differed from Judge McKean, he believed him honest, upright and sincere. He referred to the facts and incidents coming within the range of his personal knowledge, of a proscriptive spirit manifested by bigoted majorities, especially in parts of the South before the war of the rebellion; and of the intolerance often manifested by religious societies; and did not believe the Mormons were any more illiberal than other denominations or parties, nor so much so as some.

He then reviewed the reasons offered by Mr. Haydon for moving the resolution, and argued against them. The remarks of Mr. Haydon about "the sad experience of other States created without sufficient population," reminded him of the anecdote about the girl whose mother refused her permission to go to a ball, saying she had seen the folly of dancing: when the girl replied, "Aye, but mother, I wish to see the folly of it, too." Utah was desirous of trying this painful experience which these other States had gone through.

The speaker then reviewed the circumstances under which the anti-polygamy plank had been put in the platform of the republican party. That party had adopted the anti-slavery plank, but their platform was like a stool with one leg, like a kite without a tail, or a dog without a tin kettle tied to its caudle appendage. The stool with one leg wouldn't stand. They looked around them throughout the States to find another to match the abolition leg, but failed; when turning their eyes away to the west they saw polygamy, and found there what they deemed would answer their purpose. The outcry against polygamy was considerable of a bugbear. Forty millions of people had borne it for years, and he was willing to bear it a little longer, trusting to reason and time to correct error. The men who oppose and denounce it are too often those who wink at or patronize bagnios

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THE LATTER-DAY SAINTS' MILLENNIAL STAR.

TUESDAY, APRIL 9, 1872.

A WORD OF WARNING.

With feelings of sorrow more than of surprise we have become aware that many members of the Church in various parts of this Mission have ceased to exert the energy towards effecting their deliverance from Babylon that once characterized their lives as Saints; not but that they are full of expressions of anxiety to be numbered amongst the people of God in Zion, but they are willing that others should bear their burden, and entirely rely on the exertions of the people of Utah to effect their emancipation. They have read of the continued labors and devotion of the Saints at home in assisting their brethren and sisters to emigrate from these and other lands, they have seen the fruits of these labors in family after family being helped out by the Church, and they are content to supinely await the time when they can be helped also. To speak plainly, though we hope not too harshly, the deadening spirit of pauperism has found a place in their hearts, and whilst their brethren and sisters are exerting all their energies, and in some cases doing without many of the comforts of life in their love for God and his scattered people, they who are pleading for assistance are quietly jogging along in drowsy carelessness, spending all they earn, using all they get, not sacrificing a single pleasure or desire, but with all self satisfaction passively awaiting the day when they will be picked up and carried to Zion without making an effort to accomplish this wished-for consummation themselves. And should this day never come, they will tranquilly pass their lives in Babylon, expressing an occasional opinion that the Church was very blameworthy for not helping them, and stating how anxious they had ever been to emigrate,—if somebody else had only paid their passage.

At the present moment the cry of hard times cannot be advanced as an excuse for not saving more towards emigration. Throughout the greater part of the manufacturing districts, if not throughout the whole of Great Britain, trade is brisk, wages are good and employment is plentiful. We cannot recollect, in the Branches we have lately visited, having heard one Latter-day Saint say he could not obtain employment. The difficulty does not lie in this direction, it lies in too many instances in the indifference and want of economy amongst those who say they cannot save anything from their earnings, and in the foolish wasting of money on that in which there is no profit Scores of pounds are thrown away weekly—when we consider the whole Mission—by our young folks in tawdry finery, imitation jewelry, indigestible pastry and other supposed delicacies, all of which money could be easily put aside for that which should be one of the great objects of the life of every Saint in these lands. Indeed we have heard of Saints wasting enough week by week on these

follies to emigrate them to Zion in a couple of years, without asking a farthing's help from anyone else in the world. But we regret to say that in some cases the actions of these thoughtless ones lead us to believe that they would rather remain forever in these lands than do without the least of these unnecessary extravagancies.

We are not drawing attention to these things from a simple desire to find fault, in that we have no pleasure; but in the love we bear to our brethren and sisters, and realising the responsibilities of our calling, we beseech them, for their own sakes and that of their children, not to fritter away their opportunities nor neglect their day of salvation; and we warn them that the sun of prosperity will not always shine on Britain, peace will not always hover over this isle, trade will not always be good and employment forever abundant, for the prophecies must be fulfilled, and we cannot evade the dire results of their fulfilment only by obeying to the uttermost the commands of Jehovah. Those who remain in Babylon in the hour of God's judgments must receive of her plagues and share in the horrors of her fall.

We are aware that some of the Saints who have been members of the Church in these lands for thirty years or more will say that they "have often heard this same warning, and these things have not yet come to pass, that clouds have gathered and dispersed, difficulties have arisen and disappeared, wars have begun and ended, and after all things still remain pretty much the same as before." That God has so long withheld his fierce indignation for the sake of the righteous few scattered abroad throughout the earth, should be to every Saint a source of heartfelt gratitude, not a reproach to his Priesthood. Thankfulness and praise should fill our hearts when we consider his ever present care and long suffering, not doubt, indifference, or unbelief with regard to the fulfilment of his words. Had there been ten righteous men in Sodom, heaven would have withheld its fires for the sake of those righteous ten. For the sake of the righteous in these the last days have judgments been withheld for a season, but we fear that were the Lord to visit to-day some of the Sodoms of modern Babylon, he would find, as in the case of that city of old, that not ten righteous men dwelt within their walls.

We fear that some of the Saints who have dwelt for so many years in the midst of the corruption of the nineteenth century, regard the warnings of the Elders as little as they would some gossip's scandal or some infant's nursery rhyme, the words fall upon their ears with the familiarity of an oft-told tale. But had they been removed for a season from the midst of the turmoil of iniquity that rages in the nations of the earth and had then returned, they could not fail (had they eyes to see, or senses to feel,) to be impressed with the rapid decay of the nations, the overwhelming tide of corruption and the unmistakable tokens of degeneracy which mark the course of the nineteenth century; and though the Lord has, in his abundant mercy, still withheld the judgments, has still kept open the way of gathering, and still sends forth his servants to cry repentance and salvation, yet it will not always be so—already a cloud has appeared on the horizon which threatens to spread until its darkness overshadows these lands and to eventually envelope all nations. The words of the Lord, though to us apparently delayed, will not pass away unfulfilled, but in an hour that the unbeliever and the scoffer think not of they will receive an abundant fulfilment.

We do not wish that our earnest warning should frighten any one into gathering to Heaven's appointed place. We have no desire to see the Valleys of Ephraim filled with a people who worship from no holier motive than that they dread the consequences of God's wrath. The hope of our life is to witness the day when all the land promised to Joseph will be filled with a people in whose bosoms the love of truth and holiness reigns supreme, and burns with undimmed brightness in every heart. Still, when we see persons whom the Lord is blessing sitting down in drowsy indifference, and carelessly folding their hands whilst waiting for their brethren to help them and not stirring a finger to deliver themselves, we feel in duty bound to warn all such that God is not well pleased with them, the life of his Spirit is measurably withdrawn from them, and if they do not awake to newness of life and renewed diligence, faithfulness and economy, the salvation that they expect others to bring to them will in all probability never be theirs.

G. R.

THE MCKEAN-BATES IMBROGLIO.—During the past month a vast number of telegraphic dispatches have been wired and paragraphs inserted in the papers of the United States with regard to the difficulty existing between Judge McKean and District Attorney Bates. Not doubting but that a few of these would be perused with pleasure, we insert some of the most interesting, simply remarking that it would be as well for our readers to receive the statements contained therein with caution, for though they may foreshadow the truth, it is always safe to wait for the certainty. The Washington *Gazette* of March 3, says—

It has transpired that Judge McKean, who had permission to come all the way from Utah to find out whether the President and the Attorney General really meant to have him do as they requested and admit the Mormon prisoners to bail, was informed yesterday that the prosecution of the trials, on the part of the United States, would of necessity be left to the United States District Attorney, Mr. Bates. This quietly settles the dispute. Mr. Bates moved, in accordance with the advice of the Attorney General, that the prisoners be admitted to bail. Mr. McKean would "do no such thing." His herculean efforts in demolishing the blockade to get to Washington to convince the authorities here that he knew better than they about what ought to be done with the Mormons, is another dissertation on the Scotch couplet of Robert Burns—

"The well-laid schemes of mice an' men gang aft aglee."

The United States courts in Utah having no cases of murder or lascivious cohabitation before them, of course the present prosecutions must be dismissed, and all Judge McKean's *heavy joking* for a year past declared, in accordance with the recent virtual decision of the United States Supreme Court, "*null* and *void*." In all conscience, who but himself can be required to foot the bill for all his usurpations? Utah will have a Chief Justice to dispose of in a short time, no doubt. For abilities in carving out unenviable notoriety, self-importance and superficial eminence he can't be beat. Who bids?

The Washington correspondent of the Chicago *Post* telegraphed March 9—

It is believed that District Attorney George C. Bates, of Utah, has secured votes enough in the Senate to prevent the confirmation of his successor, in which case he would hold over, under the Tenure-of-Office Act.

Telegrams dated "Washington, March 10, 11 and 12," state—

Chief Justice McKean, of Utah, is still in Washington on business connected with the judiciary of that Territory, and has had several interviews with the President and Attorney General Williams. There is no probability whatever

that the criminal suits already commenced and pending will be abandoned. A measure is soon to be introduced in Congress for supplying the necessary pecuniary means to meet the expenses of the prosecution. Some of the members of Congress are considering the subject of a supplemental anti-polygamy bill, in order to obviate the present obstacles. The act cannot be enforced owing to the secrecy with which polygamous marriages are consummated, and a remedy is suggested by making proof of cohabitation, or acknowledgement of the same, sufficient to sustain an indictment.

United States Attorney Bates, of Utah, will reply to the Attorney General's request to-morrow, asking his resignation. Bates will refuse to comply with this invitation on the ground that no charges are brought against him, and because that Utah has expressed its entire satisfaction with his course in the Mormon prosecutions. In this connection it may be stated that Dr. Newman had a recent interview with the President, wherein the latter was urged to persist in the prosecution of the Mormons, as the country would not now endorse any compromise with the anomalous condition of affairs in Utah. Dr. Newman ended by stating that Bates' resignation should be demanded both as a matter of policy and justice.

Bates, Attorney of Utah, who was requested to resign, has it is said, withdrawn his letter to Attorney General Williams, giving his reasons why he should not be required to do so. Whatever may be the merits of the question, it is certain his resignation was requested after Judge McKean's interview with the President about a week ago.

It is said that District Attorney Bates' letter, declining to resign, as requested by the Attorney General, was to-day forwarded to the department of justice. It covers sixteen pages and expostulates against his removal. It is anticipated here that if Bates persists in his refusal to resign, we shall have a repetition of the old Boutwell-Pleasanton fight.

Chicago, 15.—The *Tribune's* Washington special has the following: The President has suspended the removal of District Attorney Bates, till the result of the case now pending in the Supreme court regarding the courts in Utah is known. It is now believed that the decision of the court will virtually declare that for a year, under McKean, no defendant has been brought into a court legally formed.

The Salt Lake correspondent of the New York *Herald* telegraphed from that city on March 15—

Ex. (?) United States Attorney Bates, telegraphs to his friends, that the United States Supreme Court will declare null and void the decision of the Supreme Court of the Territory in empanelling juries; that he will return and enter a *nolle prosequi* in all similar cases.

CHAPTERS FROM THE HISTORY OF THE CHURCH.

CONTINUED FROM PAGE 219.

A number of persons had worked in the pineries of Wisconsin Territory, under the direction of Lyman Wight and George Miller, in cutting timber and sawing lumber for the Temple, and were, therefore, called the Pine Company. This company Lyman Wight and George Miller had the privilege granted to them of taking away, and these were the only ones of the Saints who had liberty from President Young and the Twelve to leave the city. President Young told them publicly from the stand that if they (Lyman Wight and George Miller) took a course contrary to the counsel of the Twelve and would not act in concert with them, they would be damned and go to destruction. At the same time he said that if men would not stop striving to be great and exalted, and would persist in leading away parties

from the place of gathering, thereby weakening his and his brethren's hands, they would fall and not rise again. These predictions were fulfilled to the very letter. Lyman Wight did not act in concert with the Twelve; he led the people into difficulty and apostacy; he lost his apostleship and another took his place. George Miller afterwards took the same course and with the same results. He lost his office and standing in the Church, and, like Lyman Wight, died in apostacy.

President Young and the other Apostles knew that the Church would have to leave Nauvoo and go into the wilderness. The Prophet Joseph had predicted this, and he had talked and counseled freely with them before his death respecting the Rocky Mountains, and the Saints finding a home and an abiding place in their valleys, where they could dwell in peace and far removed from mobs. It was well known by many that the Saints would move there, probably at no distant day, and some appeared to think that they could go into the wilderness at once. In this they made a great mistake. It would have been better for them if they had remained in ignorance, for awhile at least, of the design of the Lord respecting his people, for then they might have been content to have dwelt with the Saints and helped to complete the Temple and finish up the work which had to be done at Nauvoo. These people who were desirous to go into the wilderness seemed to think that, because it had been revealed that the Saints would go there at some time, they were justified in going there then. But in the work of God there is a right time at which to perform works of this kind, and if they are not performed then, they are wrong. Men should await the time of the Lord. For instance, the Lord revealed to the Prophet Joseph in an early day some points connected with the doctrine of Celestial Marriage. He was told that it was to obey God's will that His ancient servants had taken more wives than one; and he probably learned, also, that His servants in these days would be commanded to carry out this principle. The Prophet Joseph, however, took no license from this; he was content to await the pleasure and command of the Lord, knowing that it was as sinful to enter upon the practice of a principle like this before being commanded to do so, as it would be to disobey it when required to carry it into effect. Not so with Oliver Cowdery. He was eager to have another wife. Contrary to the remonstrances of Joseph, and in utter disregard of his warnings, he took a young woman and lived with her as a wife in addition to his legal wife. Had Oliver Cowdery waited until the Lord commanded his people to obey this principle, he could have taken this young woman, had her sealed to him as his wife, and lived with her without condemnation. But taking her as he did was a grievous sin, and was doubtless the cause of his losing the Spirit of the Lord and of being cut off from the Church. The Lord will be honored by his people, and if they desire his blessings they must not run before they are sent.

Thus it was in regard to these people who were eager to go into the wilderness. When the Lord wanted them to go he would reveal it to his servant Brigham, and he could give the necessary counsel; until then they had no right to move a step. The Pine Company, as it was called, had the privilege of going with Lyman Wight, but not another soul. He wanted to go South; but at a council of the Twelve Apostles, held on August 24th, he was counseled to go North. He was a headstrong man, and was determined to carry out his own views regardless of the counsel of the President of the Church and his council, and as we proceed with this history you will see with what results.

At the above-named council Elder Wilford Woodruff was set apart for a mission to England; he was accompanied by Elders Dan Jones and Hiram Clark.

Sidney Rigdon could no longer conceal the spirit of which he was possessed. He had talked and plotted for some time in secret with those over whom he had influence. His works had been in the dark, and he thought they were not known; but by President Young and the faithful Apostles his spirit and conduct were easily read. They knew that he had the spirit of

apostacy, and that he was doing what he could to injure the work. In a conversation which he had with President Young on the 3rd of September, he said he had power and authority above the Twelve Apostles, and did not consider himself amenable to their counsel. The evening of the same day the Twelve had an interview with him, and they found him in such a condition that they felt it to be their duty to demand his license. He would not give this up. He said the Church had not been led by the Lord for a long time, and he should come out and expose the secrets of the Church. In this he showed the traitorous spirit of which he was possessed. The Prophet Joseph, during his lifetime, was satisfied that he was a secret enemy and traitor, and had told the congregation of Saints that he would carry him no longer; but afterwards Rigdon had cried and begged to be restored, some of the Elders had also entreated the Prophet to take him back, and he was suffered to remain nominally as counselor to Joseph. When he reached Nauvoo after the death of the Prophet, he had put himself forward as the man who ought to preside over the Church, or, as he termed it, to be the guardian for the Church. There was no hint given in public to convey the idea to the people that he thought Joseph had gone astray; this he knew would not serve his purpose. But now that he had been baffled in his schemes, and had failed to obtain the object of his ambition, he revealed the true feelings of his heart respecting Joseph, and exhibited in the clearest light his own hypocritical and traitorous character. "The Church had not been led by the Lord for a long time." No apostate, not even William Law, who had been accessory to the murder of Joseph and Hyrum, could say any more than this.

On the next Sunday, the 8th of September, the High Council was organized, with Bishop Newel K. Whitney, the Presiding Bishop, at its head, and the case of Sidney Rigdon was brought before it. After hearing all the evidence, it was moved that he should be cut off from the Church. This vote of the High Council was unanimous. The same motion was then made to the Church there assembled. The vote was unanimous with the exception of ten persons; and as they voted to receive him as their leader, they were, on motion, also cut off.

From that hour Sidney Rigdon went down. It is true that he did not sink without a struggle. He chose apostles; he framed some sort of an organization; he sent out his missionaries, many of whom labored zealously; he published a paper, and fought the Twelve Apostles and the Church with all his power; but all his efforts, which made such a noise at the time, had but one effect—they gathered out some of the hypocrites and wicked from the Church and helped to cleanse it, and thus it always is with apostates, they can do nothing against the work of God to injure it, but their works are over-ruled for its good.

[TO BE CONTINUED.]

THE CONSTITUTIONAL CONVENTION.

[CONTINUED FROM PAGE 231.]

and brothels, and who are unhorrified at brazen vice flaunting itself in the streets. Polygamy is the tin kettle tied to the dog's tail; the dog had been killed, and now the tail must be crushed. He was not afraid of polygamy; it would pass away like the frosts on the mountains when the sun rose upon them. If the majority of the people of Utah are Mormon in faith, as citizens have they not a right to rule the State?

Convention adjourned.

2 p.m.

Mr. Cannon addressed the covention.

He said that the mover of the resolution to adjourn *sine die* was the first member of the convention to refer to any class distinctions as existing in the community. He, the speaker, re-

gretted any reference of the kind ; and their introduction, to say the least, showed bad taste. Such allusion should be banished, for there were subjects enough to occupy the attention of the members of the convention without dragging in class distinctions of a social, religious or political character. As to religious distinctions, he thought they were entirely foreign to the object for which the members of the convention had assembled, and during their sittings should be banished from their minds and memories.

Reasons had been assigned why Utah should not be admitted into the Union as a State. He would make a brief statement of the circumstances surrounding his own life. He crossed the plains when eighteen years of age, and came to these valleys, then a portion of Mexican territory. He with others, some of them being members of the convention, settled here as pioneers in opening up Utah, and establishing the foundations of this great commonwealth. Twenty-five years had elapsed since then, during which he had labored diligently in building up this Territory and nation ; had done all in his power in aiding emigration, increasing the population and developing the resources of the country. He could also say the same on behalf of hundreds and thousands of the citizens of the Territory, by whom no effort had been spared to make this a land in which all classes, creeds, and nationalities could dwell in peace and safety, and to make these mountains vales as safe and as free from violence, rapine and everything hurtful as the streets of the quietest city of the eastern States. The fact that men and women could travel without fear of insult or violence from Idaho in the north to Arizona in the south, was proof how those efforts had succeeded ; and throughout all the settlements of the Territory there had been peace and safety for citizen and stranger.

Allusions had been made to the effects that would follow if Utah were admitted as a State with the Mormons in the ascendant ; but the fears that some professed to entertain of Mormon intolerance and injustice, were groundless. Judge Haydon, the mover of this resolution, had related to the speaker how, eighteen years ago, when Mormon isolation was complete, that he, a stranger, while traveling from the Missouri to the Pacific, had sought and obtained redress of wrongs and justice from Mormon courts and authorities. While as to intolerance, ministers of every religious denomination had been allowed, in the past, to proclaim, unmolested, their several creeds and doctrines in the Mormon cities and settlements, and the doors of Mormon meeting houses had been opened to them to give them an opportunity to do so. And in this city there are now four or five meeting houses occupied by religious bodies other than Mormons.

One of the reasons why Utah should be admitted as a State was that there were many men, even in that convention, descendants of the heroes of the Revolution, who had come hither in boyhood, and who had never yet had the privilege of voting for a president of the United States. This was his position to-day, although during the best part of his life he had done all that a patriotic citizen could do to build up the country, ever manifesting the most untiring zeal and devotion to constitutional principles ; and he could speak of the entire people in the same terms. Their loyalty could not be truthfully questioned, neither their devotion to constitutional principles and every thing that makes a nation great and mighty. It was this adherence to principle that had given the people of this Territory prominence in the eyes of the world. For this reason, if for no other, he would urge the holding of a constitutional convention for the purpose of claiming their rights as American citizens and of taking the measures necessary to ward off from their children the vassalage which the pioneers and others of Utah had been compelled to endure. Such a condition was foreign to the genius of American institutions, and he could find nothing either in history, laws, or the constitution sanctioning it. There must be a termination to it, and though some claimed that the present effort was inopportune, he thought otherwise, and that the time was most opportune to terminate such a condition of affairs.

The courts of justice were referred to as another proof of the great necessity for a change in the form of government. Every possible effort had been made to produce judicial chaos, and to bring about a condition of anarchy in this Territory, and if the people had not manifested the highest qualities of citizenship Utah would not be the peaceful abode that it is to-day. Our probate courts, which formerly held criminal and appellate jurisdiction, had been deprived of their authority, and now he might say we had no courts outside of Salt Lake City, for the visits of the judges were so rare as to leave the country practically without courts. For these and other reasons urged by the speaker he felt that he must certainly vote against the resolution.

The previous question being called for, the sense of the convention was taken, and it was unanimously in favor of it. The motion of Mr. Haydon was then put, and the ayes and noes being demanded, resulted in one "aye," and ninety-three "noes," the former from the mover of the resolution.

Mr. Haydon then presented the following:

Since the convention has refused to adjourn, and for fear congress may do an unwise thing by admitting Utah, I feel it my duty as a good citizen to remain with you to the end and endeavor to engraft on the constitution such principles as I think will best subserve the interests of the whole people. They are briefly these:

1. Prohibition of polygamy hereafter, with heavy penalties, including disfranchisement of all political rights for a violation.
2. No taxes on the mines nor their proceeds for ten years.
3. No subsidies for railroads.
4. Minority representation in legislation and in the court of last resort.
5. A registration act to promote the purity of elections.
6. One term for governor.
7. Two-thirds of a jury to constitute a verdict.
8. Equal political and civil rights for all citizens regardless of color or sex.

So much of the last proposition as relates to equal political rights without discrimination of sex I would, in view of the present condition of affairs, not insist on, but as the principle is as dear to me as my loyalty and my religion, I can not sacrifice it for mere policy, no matter what may be the result.

If such propositions as I have briefly stated were adopted, in my humble opinion they will go far towards protecting the rights of the minority, and advancing the general interests of the whole people.

Convention adjourned.

[TO BE CONTINUED.]

UTAH NEWS.

The following are from the *Deseret News* to March 13—

Two cars and a considerable portion of the rails for the Salt Lake City Street Railroad had reached Ogden.

The *News* understands that Elder Thomas Taylor had been appointed to succeed the late Bishop Abraham Hoagland as Bishop of the Fourteenth Ward.

There were prospects that the main portions of Salt Lake City would be supplied with gas. A movement was also about to be inaugurated to lay water pipes in the city.

Elder William Wines Phelps, better known as Judge Phelps, died in Salt Lake City, at 2 a.m., March 7th. He was born at Hanover, Morris Co., New Jersey, February 17, 1792. He was baptised into the Church of Jesus Christ of Latter-day Saints in June, 1831, at Kirtland, Ohio, and his name is often found prominently associated with the early history of the Church.